

**REMARKS**

Claims 1-10 are pending in the present application. It is respectfully submitted that this Response is fully responsive to the Office Action dated April 5, 2006.

Applicants appreciate the courtesy extended by Examiner Tadesse in a personal interview conducted on June 28-29, 2006. Applicants separate record of the subject matter of the interview is incorporated into the remarks below.

**Claim Rejections - 35 U.S.C. §102**

The Examiner rejected claims 1, 2, 5, 8 and 10 under 35 U.S.C. §102(b) as being anticipated by *Kitamura et al.* (U.S. Patent No. 6,139,639). For at least the following reasons, Applicants respectfully traverse the Examiner's anticipation rejection of these claims.

Anticipation requires the presence in a single prior art reference the disclosure of each and every element of the claimed invention, arranged as in the claim. Here, "a material application apparatus that applies a material from a discharge port of a nozzle" is not taught or suggested in the *Kitamura* reference. As discussed in the June 2006 interview, Applicants respectfully disagree with the Examiner's characterization of die 40 as the nozzle. A nozzle, for example, is defined as "a projecting spout, terminal discharging pipe, or the like, as of a bellows or a hose." *The Random House College Dictionary, Revised Edition*, 1988. Whereas, the opening formed by the lower part of front lip 58 and rear lip 60 of die 40 is a slot, e.g., col. 13, lines 19-28. Accordingly, *Kitamura* fails to teach or suggest a nozzle, as recited in the claims

and described in the specification, *e.g.*, Fig. 2. Therefore, this feature is clearly missing from the *Kitamura* reference.

Also, Applicant's respectfully disagree with the Examiner's conclusion that *Kitamura's* applicator or die is capable of forming beads having a sectional configuration in which the height (1mm) is larger than the width of 0.9 mm by exchanging different shims. For example, *Kitamura* teaches that "the uniformity of the coating D is controlled by adjusting the stop gap  $L_p$  of the die 40 or the clearance  $L_c$ , *i.e.* the length of the gap between the die 40 and the substrate A, as shown in Fig. 3." Nowhere in the disclosure does *Kitamura* discuss or even suggest that "said discharge port... discharges said material to form a bead having a sectional configuration in which the height is larger than 0.9 times the width." See claim 1. As discussed in the June 2006 interview, to properly reject these claims, this missing claim feature must be considered as to how it may be further defining the structural attributes of the claimed invention, *e.g.*, nozzle and discharge port.

In view of the above remarks, Applicants respectfully submit that the rejection of claims 1, 2, 5, 8 and 10 be withdrawn because the Examiner's anticipation rejection is not supported by the cited art.

In addition, as discussed in the June 2006 interview, Applicants respectfully disagree with the Examiner's anticipation rejection of claim 5 for at least the following reasons. *Kitamura* does not teach or suggest a nozzle that "is adapted so as to be rotatable in the peripheral direction thereof by a motor." For example, die 40 merely travels in the z-direction,

e.g., upward and downward. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 5.

**Claim Rejections - 35 U.S.C. §103**

Claims 3 and 4 were also rejected under 35 U.S.C. §103(a) as being unpatentable over *Kitamura et al.* (U.S. Patent No. 6,139,639) in view of *Hosogaya et al.* (U.S. Patent No. 5,634,976). However, these claims depend from independent claims 1 and 2 and are likewise allowable by nature of dependency.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 3 and 4.

**Allowable Subject Matter**

Applicants appreciate the Examiner's acknowledgment that claims 6 and 7 are allowable.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

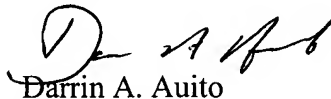
Application No. 10/500,303  
Attorney Docket No. 042471

Response under 37 C.F.R. §1.111  
Response filed: June 29, 2006

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read 'D. A. Auito', is positioned above the printed name.

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